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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10790046	3/2/2004	CHOI, MI AE	3449-0310P

EXAMINER

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ART UNIT PAPER

2623 20080821

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

Newly submitted claims 17-34 directed to an invention that is independent or distinct from the invention originally claimed for the following reasons:

Applicant has cancelled claims 1-16 and presented a new set of claims 17-34. In newly added independent claims 17, 23, and 29 applicant cites a new limitation whereby an *advertisement image path* is introduced and utilized in *downloading of advertisements*. This feature is distinct and independent of limitations previously selected/ claimed by applicant as the images are no longer stored locally, or streamed, or otherwise provided and are now subject to file system and/or path awareness which was not claimed before. These newly added claims further introduce a new limitation whereby *after all data sections of the specific application are downloaded, the step of displaying the advertisement image is cancelled*. This limitation further distinguishes claims 17-34 from cancelled claims 1-16.

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claims 17-34 are withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JAMES R. MARANDI whose telephone number is (571)270-1843. The examiner can normally be reached on 8:00 AM- 5:00 PM M-F, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vu Le can be reached on (571) 272-7332. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Hunter B. Lonsberry/
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